IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 10TH DECEMBER 2007 / 19TH AGRAHAYANA 1929

WP(C).No. 33557 of 2007(T)

PETITIONER:

K.SANTHOSH KUMAR, S/O. NARAYANAN,
AGED 34 YEARS, ARAKKAN HOUSE, THIRUVANGAD AMSOM
AND DESOM, THALASSERY TALUK.

BY ADV. SRI.K.V.PAVITHRAN
SRI.JAYANANDAN MADAYI PUTHIYAVEETTIL

RESPONDENTS:

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1. KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY ITS CHAIRMAN, VYDYUTHI BHAVAN,
PATTOM, THIRUVANANTHAPURAM-4.

2. CHIEF ENGINEER (COMMERCIAL & TARIFF),
VYDYUTHI BHAVAN, PATTOM, THIRUVANANTHAPURAM-4.

3. THE EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION, THALASSERY.

4. SECRETARY TO THE INDUSTRIES DEPARTMENT,
THIRUVANANTHAPURAM.

BY SHRI.P.P.THAJUDEEN, SC, KSEB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 33557 of 2007

Dated, this the 10th day of December, 2007

J U D G M E N T

Petitioner, who is presently charged at commercial tariff, claims tariff applicable to software units. Third respondent appears to have given Ext.P6 certificate. Learned standing counsel for the KSE Board submits that petitioner is not engaged in any of the software developments. In any case, since the matter is to be decided by the 2nd respondent, it is for him to verify the activities of the petitioner based on the report of 3rd respondent or on conducting independent enquiry and order the tariff applicable to the petitioner for the unit. 2nd respondent is directed to take a decision within a period of one month from receipt of a copy of this judgment, if required, after conducting enquiry about the activities of the petitioner.

This writ petition is disposed of as above.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg